

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

TYLER DIVISION

AZURE NETWORKS, LLC, et al.	§	
	§	
<i>Plaintiffs,</i>	§	Civil Action No. 6:11-CV-139-LED-JDL
	§	
v.	§	
	§	JURY TRIAL DEMANDED
CSR PLC, et al.,	§	
	§	
<i>Defendants.</i>	§	

**STIPULATION
FOR ENTRY OF FINAL JUDGMENT BASED ON THE COURT'S
CLAIM CONSTRUCTION**

WHEREAS, Plaintiffs Azure Networks, LLC and Tri-County Excelsior Foundation have asserted that Defendants CSR PLC, Cambridge Silicon Radio International LLC, Atheros Communications, Inc., Broadcom Corporation, Marvell Semiconductor, Inc., Qualcomm Incorporated, Ralink Technology Corporation [Taiwan], Ralink Technology Corporation [USA], and Texas Instruments Inc. (collectively the “Defendants”) infringe at least one claim of United States Patent No. 7,756,129 (the “’129 patent”); and

WHEREAS, this Court construed the term “MAC address” used in the asserted claims in its Memorandum Opinion and Order on claim construction dated January 15, 2013 (the “Claim Construction Order”); and

The parties, by and through their undersigned counsel, hereby stipulate and agree as follows:

1. The term “MAC address(es)” appears in claims 43 and 221.

2. All asserted claims ultimately depend from either claim 43 or 221 and, therefore, include the term “MAC address(es).”

3. In the Claim Construction Order, the Court construed “MAC address(es)” as “a device identifier generated by the hub device.”

4. Under the Court’s construction, none of the Defendants’ accused products satisfy the “MAC address(es)” limitation as set forth in Plaintiffs’ Infringement Contentions served December 15, 2011 (“Infringement Contentions”). Defendants’ accused products include the products identified in Plaintiffs’ Infringement Contentions, including the products identified by Defendants in response to Plaintiffs’ Interrogatory No. 1, as of January 1, 2013.

5. Therefore, none of the Defendants accused products infringe the asserted claims of the ’129 patent under this construction.

6. As a result of the Court’s Claim Construction Order regarding the term “MAC address(es)”, and the above provisions of this Stipulation, the parties agree that the accused products do not infringe the asserted claims of the ’129 patent.

7. Based on the above, the parties request that the Court enter a final judgment of non-infringement with respect to all accused products for all Defendants on all asserted claims, subject to the parties’ right to appeal.

8. In the final judgment, the parties also request that the Court dismiss all of the Defendants’ defenses and counterclaims, including their counterclaims of patent invalidity, without prejudice. Plaintiffs will not oppose any attempt by Defendants to assert the defenses and counterclaims described above following any remand.

9. Plaintiffs will move to dismiss without prejudice all other currently pending actions in which they have asserted the '129 patent against any party, and will not attempt to refile any such action until resolution of the appeal in this action.

10. The parties intend to preserve the *status quo* on all other issues, in the event an appeal results in remand for further proceedings in this Court. Following any remand, the parties will request that the Court order a Case Management Conference to determine the schedule for further proceedings.

11. The parties expressly reserve the right to appeal other rulings that do not form the basis for the finding of non-infringement described above, including but not limited to the Court's claim construction ruling as to other terms interpreted in its Claim Construction Order.

12. The parties respectfully request that the Court enter the Final Judgment attached hereto.

13. Each party shall bear its own costs and attorneys' fees, including such costs and fees on appeal.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Eric M. Albritton", is written over a horizontal line.

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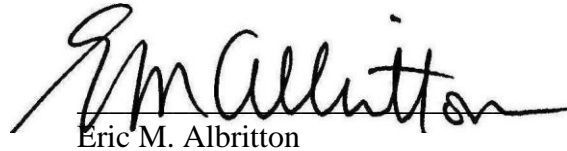
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CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(c), the undersigned certifies that the foregoing document is being filed electronically in compliance with Local Rule CV-5(a). As such, the document is being served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), any other counsel of record will be served with a true and correct copy of the foregoing by email on this 28th day of May 2013.



Eric M. Albritton